

Order

Michigan Supreme Court
Lansing, Michigan

May 7, 2009

Marilyn Kelly,
Chief Justice

137111 & (132)(133)(136)(137)

Michael F. Cavanagh
Elizabeth A. Weaver
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman
Diane M. Hathaway,
Justices

ANTHONY PELLEGRINO, Individually and as
Personal Representative of the Estate of
SHIRLEY ANN PELLEGRINO,
Plaintiffs-Appellees,

v

SC: 137111
COA: 274743
Wayne CC: 03-325462-NI

AMPCO SYSTEMS PARKING,
Defendant-Appellant.

On order of the Court, the motion for immediate consideration of the motion to strike is GRANTED. The motion to strike is GRANTED in part. The paragraph spanning pages 1 and 2 of the plaintiffs' response to the defendant's application for leave to appeal is stricken because it contains information that is not part of the record on appeal. MCR 7.210(A)(1). The motion for extension of time to file a reply and the motion to note recent Supreme Court decision are GRANTED. The application for leave to appeal the May 27, 2008 judgment of the Court of Appeals is considered, and it is GRANTED, limited to the issue whether the defendant is entitled to a new trial based on a violation of MCR 2.511(F)(2).



p0430

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

May 7, 2009

Corbin R. Davis

Clerk